



JAN 12 2004

The Honorable Haley Barbour
Governor of Mississippi
Jackson, Mississippi 39205

Dear Governor Barbour:

It is a pleasure to respond positively to the State of Mississippi's request for a waiver of the Workforce Investment Act (WIA) Title I-B 20% transfer authority at Section 133(b)(4) and 20 CFR 667.140. The waiver increases the limitation on transferring funds between the Adult and the Dislocated Worker programs from 20% to up to 50%. As you know, this request is consistent with one of the improvements that the Administration is seeking in the reauthorization of the Workforce Investment Act—the consolidation of the WIA Adult, WIA Dislocated Worker and Wagner-Peyser Act (Employment Service) funding streams.

This consolidation would provide states with maximum flexibility to meet unique workforce needs. In the meantime, we hope this waiver will assist your state in meeting its workforce needs and improving programmatic outcomes at the local level and statewide.

The following is the disposition of the state's waiver submission.

Waiver: Waive the Title I-B 20% transfer authority at WIA Section 133(b)(4) and 20 CFR 667.140.

The state is requesting a waiver (copy enclosed) to increase the limitation on transferring funds between the Adult and the Dislocated Worker programs at WIA Section 133(b)(4) from 20% to up to 50%. The state indicates that the increase in transfer authority will give greater flexibility to local workforce investment boards so that funds can be used where they are most needed. The state believes that this increased flexibility will allow the boards to better respond to changes in their local labor markets and will help ensure that the WIA funds allocated to each local area are being used in a way that will maximize customer service.



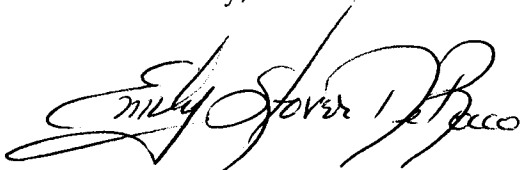
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The waiver is written in the format identified in WIA Section 189(i)(4)(B) and 20 CFR 661.420(c) and appears to meet the standard for approval at 20 CFR 661.420(e). Accordingly, the state is granted a waiver of the application of the 20% funds transfer limitation at WIA Section 133(b)(4), consistent with the waiver plan submission. This waiver will permit the state to approve local area requests to transfer amounts of up to 50% of local area allocations between the Adult and Dislocated Worker funding streams, as requested. The duration of the approved waiver is through June 30, 2004, the current period of WIA authorization.

The granted waiver is incorporated by reference into the state's WIA Grant Agreement, as provided for under paragraph 3 of the executed Agreement, and also constitutes a modification of Mississippi's approved five-year strategic plan. A copy of each letter should be filed with the state's WIA Grant Agreement and the state's approved five-year strategic plan, as appropriate.

We look forward to continuing our partnership with you and achieving better workforce investment outcomes. We are prepared to entertain other state and local-level waiver requests that you may wish to submit, consistent with the provisions of the WIA statute and regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily Stover DeRocco", with a large, stylized flourish at the end.

Emily Stover DeRocco

Enclosure



STATE OF MISSISSIPPI
RONNIE MUSGROVE, GOVERNOR
MISSISSIPPI DEVELOPMENT AUTHORITY
ROBERT J. ROHRLACK, JR., CEO
EXECUTIVE DIRECTOR

RC 10,000 Author
RECEIVED
APR 17 11 30 AM '03
U.S. DEPARTMENT OF LABOR
EMPLOYMENT AND
TRAINING ADMIN.

April 7, 2003

Dr. Helen N. Parker
Regional Administrator
Employment and Training Administration
United States Department of Labor
61 Forsyth Street, S.W., Room 6M12
Atlanta, Georgia 30303

Dear Dr. Parker:

On behalf of the Mississippi Development Authority- Employment Training Division (MDA-ETD), the administrative entity in Mississippi for the Workforce Investment Act (WIA), I am requesting a waiver to increase the current 20% limitation on transfer of funds from Adult and Dislocated Worker funding streams to 50%. This waiver would apply to Program Year 2002 and subsequent years. We believe that providing the local workforce investment boards with greater flexibility in the administration of their finances is crucial in these times of limited funds and fiscal challenges and that such a measure will ensure a more effective delivery of WIA programs and services in Mississippi. This waiver is filed according to the guidelines set forth in WIA Section 189(i)(4)(b).

The Workforce Investment Act prescribes a strong role for local workforce investment boards and the private sector in strategic planning, policy development and oversight of the local workforce investment system and its activities. WIA recognizes local flexibility as a key element in the process of developing comprehensive systems designed to meet the needs of the local labor market.

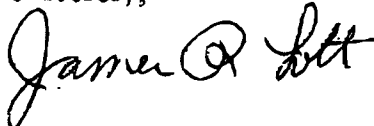
Mississippi likewise endorses local flexibility and is committed to taking whatever steps are necessary to help our local workforce areas best serve the state's job seekers, underemployed, dislocated workers, youth, and employers. We believe that our local workforce areas are most successful when given latitude to make

Dr. Helen N. Parker
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decisions based upon their in-depth knowledge of their areas, while still operating within the parameters of the Act.

Thank you for your consideration of this request. If you have questions or need additional information, please contact me at (601) 359-9365 or via email at jlott@mississippi.org. I look forward to hearing from you.

Sincerely,



James R. Lott
Director
Employment Training Division

JRL:th

Enclosure

**State of Mississippi
Workforce Investment Act
Waiver Request:
Transfer Authority**

The Mississippi Development Authority- Employment Training Division (MDA-ETD), as the administrative entity of the Workforce Investment Act (WIA) in the State of Mississippi, submits this request for a general waiver to increase the transfer authority of Local Workforce Investment Boards from the current 20% to 50% for Adult and Dislocated Worker funds. This proposed increase will provide the Local Boards with greater flexibility for responding to changes in their local labor markets, and will help ensure that the WIA funds allocated to each local area are being utilized in a way that will maximize customer service.

In keeping with the guidelines set forth at WIA Section 189(i)(4)(b) and 20 CFR Part 661.420(c), please accept the following as a request for a waiver.

1. Identification of Statutory or Regulatory Requirements to be Waived-

WIA Section 133(b)(4) and 20 CFR Part 667.140 state that a Local Board may transfer, if such a transfer is approved by the Governor, not more than 20 percent of the funds allocated to the local area... for a fiscal year between Adult employment and training activities and Dislocated Worker employment and training activities.

The State of Mississippi requests that Local Boards be allowed to transfer up to, but not more than, 50 percent of a program year allocation for Adult funds and up to, but not more than, 50 percent of a program year allocation for Dislocated Worker funds between the two funding streams.

2. Actions Undertaken by the State to Remove State or Local Statutory or Regulatory Barriers-

There are no State or local statutory or regulatory barriers to implementing the proposed waiver.

3. Goals of the Waiver and Expected Programmatic Outcomes if Waiver is Granted-

The anticipated goal is increased flexibility for the local areas in allocating and expending Adult and Dislocated Worker funds. Such flexibility would enable

State of Mississippi
Transfer Authority Waiver Request
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local areas to better serve the needs of their customers and would heighten their ability to respond to changes in the local labor market.

4. Individuals Impacted by the Waiver-

All Adults and Dislocated Workers, as well as business customers, will benefit from the waiver. Granting the Local Boards the ability to move substantial funds to the areas of greatest need will ensure optimum service to the general population of that workforce area.

5. Process Used to Monitor Progress Upon Implementation of the Waiver-

The MDA-ETD, as the State administrator and overseer of WIA, will monitor all transfers of funds by the Local Areas. The State's current monitoring policy and procedures will be modified to include this waiver.

6. Local Board and Public Review and Comment-

This request was developed as a result of concerns expressed by local areas. As with all other major policy and procedural decisions made by the State, we relied heavily upon input from local area staff and boards. The problems with the current 20% limitation on funds transfers between Adult and Dislocated Worker funding streams were discussed with the local areas to gain input on those problems and on the benefits of being granted this waiver. The waiver request was provided to the local areas for review and comment prior to its submission. Local areas were encouraged to enlist input from Local Boards when considering this waiver request. To date, the MDA-ETD has received no comments on the request but will forward to the Department of Labor any comments received after the submission of this waiver to DOL. No other formal public review process was undertaken.